

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 RANDALL FOX,  
14 Defendant.

CASE NO. CR16-0100-JCC

ORDER

15 This matter comes before the Court on Defendant Randall Fox's motion to seal (Dkt. No.  
16 310) his sentencing memorandum (Dkt. No. 311) and attachments (Dkt. No. 311-1). Having  
17 thoroughly considered Defendant's motion and the relevant record, the Court hereby GRANTS  
18 the motion.

19 "[T]here is a strong presumption of public access to [the Court's] files." W.D. Wash.  
20 Local Civ. R. 5(g)(3); *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978). However, a  
21 particularized showing of good cause will suffice to maintain under seal documents attached to a  
22 motion that does not address the procedural basis of the case. *Foltz v. State Farm Mut. Auto. Ins.*  
23 *Co.*, 331 F.3d 1122, 1135 (9th Cir. 2006). This rule provides an exception to the "strong  
24 presumption in favor of [public] access" to judicial records. *Kamakana v. City & Cnty. of*  
25 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (citing *Foltz*, 331 F.3d at 1135).

26 Defendant asks the Court to order that his sentencing memorandum and attached exhibits

1 be sealed because the documents contain sensitive and confidential material about Defendant that  
2 should not be made public. (Dkt. No. 310 at 1.) The Court concludes that some of the exhibits  
3 deal with information that is sufficiently confidential to warrant sealing, while others do not.  
4 Defendant states that he plans to file redacted versions of the sentencing memorandum and  
5 exhibits, but requests that exhibits 1 and 6 remain sealed. (*Id.*)

6 The Court GRANTS Defendant's motion to seal (Dkt. No. 310). The Clerk is  
7 DIRECTED to maintain the documents filed under Docket Number 311 and 311-1 under seal  
8 until further order of the Court. Defendant is ORDERED to file a redacted sentencing  
9 memorandum and redacted copies of exhibits 2, 3, 4, 5, 7, 8, and 9 within seven (7) days of this  
10 order.

11 DATED this 22nd day of May 2018.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE